

AGENDA - COMMON COUNCIL MEETING – June 7, 2016 - 5:30 P.M.
REGULAR MEETING

1. Call to order, Roll Call and Pledge of Allegiance to the flag.
2. Certification of prior meetings. Resolution dispensing with reading of minutes.
3. Reading of Privilege of the Floor Regulations.
4. Privilege of the Floor:
5. Communications from the Mayor including disapproval messages.
6. Communications from the public and petitions:
 1. Request from National MS Society to use Point Gratiot as a rest stop for its cyclist's on August 6th between 9:00 AM until 2:00 PM. Also requesting permission to setup a tent, tables, and chairs.
 2. Request from Northern Chautauqua County Youth Hockey Association to use the Wright Park basketball courts on August 20th (August 21st Rain date) for their Annual Street Hockey Tournament. Also, requesting permission to have a bounce house, food vendors, and a concession stand and the presence of the Mayor and Council for the honorary puck/ball drop at approximately 8:45 AM.
 3. Request from Catholic Charities WIC to use Washington Park on August 5th from 10:00 AM until 12:00 PM.
 4. Request from Ryall Hall, Youth and Recreation Program Coordinator, to use city picnic tables, trash cans, trash bags and gloves on Wednesday, June 22nd at 9:00 AM for the 15th Annual Senior Sweep Program.
 5. Uninsured/Underinsured Motorist claim from Edgar Kujawa.
 6. Loudspeaker application from:
 - a) Richard Sikes to use speakers and a radio at the Fireman's Grounds on July 9th from 7:00 PM until 9:00 PM.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 54. Resolution authorizing amendment to lease agreement with Dunkirk City School District (Marauder Drive).
 55. Resolution authorizing installation of convenience outlet.
10. New Business:
11. Adjournment.

Lillian R. Divine
City Clerk



**National
Multiple Sclerosis
Society**

May 10, 2016

City of Dunkirk
342 Central Ave
Dunkirk, NY 14048
Atten: City Clerk

Lillian,

Plans are well underway for Bike MS: Great Lake Escape, hosted by the National MS Society Upstate New York Chapter. This event will take place on Saturday, August 6th. As we plan our cycling route, our goal is to ensure a safe, well supported ride for our participants. Providing rest stops along the way will allow our participants to stop, rest and rehydrate as they accept the challenge to create a world free of MS.

We would like to respectfully request the use of Point Gratiot Park as a rest stop on Saturday, August 6th. We are anticipating over 170 riders to participate in this event.

To host a rest stop at your location we would need the use of bathrooms as well as an area for volunteers to serve bottled water and food to our cyclists. We will set up a tent, table and chairs for the stop provided by our organization. We of course would ensure that the area is returned to its original state after the ride and cleared of any garbage. The National MS Society can provide any insurance certificates needed if necessary.

Thank you in advance for your assistance. We look forward to hearing from you regarding the use of this property. Please contact me if you have any questions regarding this matter, need additional information, or have questions about Bike MS in general. I can be reached at (716) 634-2573 ext. 70505 or by e-mail at Christine.Kiebzak@nmss.org

Sincerely,

Christine Kiebzak
Manager, Bike MS

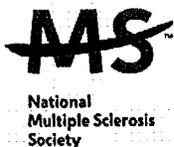


National MS Society
Upstate New York Chapter
1000 Elmwood Avenue
Suite 900
Rochester, NY 14620-3098

volunteer

2016 MAY 13 AM 10:32

RECEIVED
CITY CLERK
DUNKIRK, NY



Bike MS 2016 – Great Lake Escape Rest Stop Agreement

The 2016 Bike MS Great Lake Escape will be held on August 6th at Evangola State Park. The purpose of this event is to raise funds and awareness about multiple sclerosis and the National MS Society.

We need to provide rest stop locations along the routes to refresh, rehydrate, and re-energize our cyclists in order to produce a safe ride. We have identified your location as an ideal rest stop location and are asking your permission to set up:

- 1 or 2 - 10'x10 pop up tent(s)
- tables & chairs
- food & beverages for cyclists
- trash and recycling receptacles
- 4-6 volunteers

during the time frame of _____ on August 6 , 2016.

Provisions provided by your location:

Restroom Facilities (we would love to provide access to 'real' restrooms for our cyclists while they are riding)

___ YES ___ NO

If NO, we will need to set up a porta-john on your premises. It will likely be delivered Friday, August 6, 2016 and picked up on Monday, August 8^t. We will sort out those specific details at least six weeks in advance of the event.

If YES, the bathrooms will need to be unlocked by ___ am/pm on August ___, 2016.

Volunteers (we encourage community engagement and involvement! If your organization is willing to provide volunteers to staff this rest stop and hand out snacks and drinks to cyclists we welcome it.)

___ YES How many? ___
___ NO

Tables & Chairs (we rent tables and chairs, so if you in fact have tables/chairs/picnic tables that we could use that would be immensely helpful)

___ YES ___ NO

The National MS Society ensures that the area(s) that we use will be cleaned up and left as we found them when we arrived.

I, _____, on behalf of the _____
agree to be a rest stop location for the 2016 Bike MS Great Lake Escape on the above date and times.

Contact information:

Phone Number _____

E-mail Address _____

Address _____

2016 NCCYHA STREET HOCKEY TOURNAMENT

Mayor Rosas & Dunkirk City Council,

I am writing this letter on behalf of the Northern Chautauqua County Youth Hockey Association (NCCYHA) to request the use of the Wright Park basketball courts (Warsaw Street) on August 20th 2016 for our Annual Street Hockey Tournament. In case of inclement weather we would like to also reserve the courts for Sunday August 21st as a make date for any games missed. The tournament is being viewed as a community event and is not limited to just NCCYHA players, it is open to everyone. The tournament will be used as a fund raiser for our organization.

Once again we are looking to have food vendors and a small concession stand with snacks and drinks. In addition, we will also have a bounce house and other activities for the kids.

I have attached a waiver form that we are having each player sign. Safety is always a big concern that is why we are mandating that every player must wear a helmet.

The NCCYHA would also like to extend the invitation to Mayor Rosas and any other Council members to join us at approx. 8:45am for the honorary puck/ball drop.

It's the board's sincere hope that this continue to become an ongoing annual event.

Sincerely,

Brian Madurski

NCCYHA Board of Directors

Tournament Coordinator

49 Point Drive West

Dunkirk, NY 14048

(716) 785-0852

2016 JUN - 2 PM 4: 37
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

NCCYHA STREET HOCKEY TOURNAMENT

I, _____ am participating in the
(Please print name above.)

NCCYHA Street Hockey Tournament with the Northern Chautauqua Youth Hockey Association (NCCYHA), on Saturday, August 13, 2016.

I hereby release the City of Dunkirk and the Northern Chautauqua Youth Hockey Association (NCCYHA) of all liability in case of injury.

PARENTAL AUTHORIZATION AND RELEASE

We, (I), the parent(s) or guardian of the above candidate for the NCCYHA, Inc. program, hereby give our (my) approval to his/her participation in the volunteer NCCYHA Street Hockey Tournament. We (I) assume all risks and hazards incidental to such participation, including transportation to and from such activities: and we (I) do hereby waive, release, absolve, indemnify and agree to hold harmless the NCCYHA, Inc., its officers, directors, members, employees, agents, organizers, sponsors, participants, persons and its successors from any and all claims for damages due to injuries to person or property of any kind which our (my) child may sustain while in the NCCYHA, Inc. which our (my) child may participate in the volunteer NCCYHA Street Hockey Tournament.

Date: _____

Participant's Signature

Parent/Guardian's Signature

Lillian Divine

From: Katie Constantino [katie.constantino@ccwny.org]
Sent: Wednesday, June 01, 2016 3:36 PM
To: ldivine@cityofdunkirk.com
Subject: Washington Park request - 8/5/2016 Catholic Charities WIC

Dear Lillian Divine and Common Council Members,

Catholic Charities WIC is requesting to hold our Healthy Baby Festival to celebrate World Breastfeeding Week at Washington Park in Dunkirk on Friday, August 5th, 2016 from 10am -12pm. The event will promote breastfeeding awareness, child safety, prenatal and maternal health and summer family fun. WIC (Women, Infants and Children) is a program of the USDA that provides nutrition counseling, referrals and breastfeeding education and support to low income families in all 50 states.

We will be partnering with all of the local community agencies to have representatives with tables sharing health information for families, prizes and crafts and games for the children. This free event is open to all expecting moms, mothers and babies, and their families. We have hosted similar events in Buffalo and Niagara Falls for the past 7 years.

Catholic Charities was awarded the WIC contract in Chautauqua County in October 2015. We also cover Erie and Niagara Counties as well with 20 different locations for our WIC program. Our Dunkirk WIC office has a target caseload of 1300 clients.

If you have any questions please contact me.

Sincerely,

Katie Constantino

Katie Constantino, MEd, IBCLC
Catholic Charities WIC
Breastfeeding Coordinator
3370 Delaware Avenue
Kenmore, NY 14217
(716) 218-1484 X2411 Fax: (716) 874-7318

2016 JUN - 2 AM 9: 03
CITY CLERK'S OFFICE
DUNKIRK, NY



City of Dunkirk

DEPARTMENT OF YOUTH & RECREATION

May 31, 2016

Dear Dunkirk City Council:

The 15th annual DHS Senior Sweep will be held Wednesday, June 22, 2016 at 9:00 am. On this day, members of the Dunkirk senior class will be participating in various cleanup projects throughout the city.

In the past years, the Parks Department has supplied picnic tables and trash barrels. I am asking for that once again. I am also requesting large orange garbage bags and gloves for trash pick-up. I will supply a list of areas where trash has been collected so prompt pick up can occur. My goal for participating seniors is 80+.

I can be reached at 366-9886 if anyone has any questions. I thank you in advance for your help with this great program.

Sincerely,

A handwritten signature in cursive script that reads "Ryan Hall".

Ryan Hall
Youth and Recreation Program Coordinator

2016 JUN - 1 PM 2:23
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

Lewis & Lewis P.C.

ATTORNEYS AND COUNSELORS AT LAW

May 18, 2016

Dunkirk Fire Department
311 Eagle Street
Dunkirk, NY 14048

Dunkirk City Clerk
342 Central Avenue
Dunkirk, NY 14048

RE: Our Client: *Edgar J. Kujawa*
Employer:: *City of Dunkirk Fire Department*
Date of Accident: *March 17, 2015*

Dear Sir/Madam:

I am writing to follow up my April 11, 2016 letter to your office, concerning the above-referenced matter, a copy of which is enclosed herewith. Please advise our office immediately as to whether you have placed your automobile insurance carrier on notice regarding Mr. Kujawa's potential Uninsured/Underinsured Motorist claim arising from the above-referenced accident. Please also advise our office of the name and address of the automobile insurance carrier which insured the 2003 LaFrance fire truck at the time of this accident.

Thank you for your prompt attention to above. If you have any questions or concerns, please do not hesitate to contact me at (716) 664-7354.

Respectfully,

LEWIS & LEWIS, P.C.

JOHN I. LaMANCUSO

JIL/kd

Enclosure

Cc: Mr. Edgar Kujawa (w/o enclosure)

Allan M. Lewis
Jack G. Stiefel
Arnold H. Soeder
George Panebianco
Emily L. Downing
Kristin M. Allen
Carrie Q. Curvin
Sheri N. DeFazio
David M. Block
Emily F. Janicz
Laurie M. Beckerink
John I. LaMancuso
Daniel P. Kuhn
Edward A. Sundquist
Deborah A. Drake
NYS Lic. Rep.
Gary G. Campbell
NYS Lic. Rep.
Norman B. Lewis
(1919-1986)

Offices

Buffalo
716.854.2100

Niagara Falls
716.284.7126

Batavia
585.343.3218

Olean
716.372.1890

2016 MAY 23 PM 12:37

Lewis & Lewis P.C.

ATTORNEYS AND COUNSELORS AT LAW

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2016 AP 13 AM 10:30

April 11, 2016

VIA CERTIFIED MAIL, RETURN
RECEIPT REQUESTED

Dunkirk Fire Department
311 Eagle Street
Dunkirk, NY 14048

Dunkirk City Clerk
342 Central Avenue
Dunkirk, NY 14048

RE: Our Client: *Edgar J. Kujawa*
Employer:: *City of Dunkirk Fire Department*
Date of Accident: *March 17, 2015*

Dear Sir/Madam:

Our firm has been retained by Mr. Edgar J. Kujawa to investigate and prosecute claims arising from the above-referenced motor vehicle accident. Please accept this letter as notice of Mr. Kujawa's potential Uninsured/Underinsured Motorist claim under the City of Dunkirk Fire Department's automobile insurance policy that insured the 2003 LaFrance fire truck that Mr. Kujawa occupied at the time of the collision. Enclosed herewith is a copy of the MV-104A regarding this collision. I would kindly ask that you place your insurance carrier on notice immediately.

If you would like to discuss this matter further, please contact the undersigned at (716) 664-7354.

Respectfully,

LEWIS & LEWIS, P.C.

JOHN I. LaMANCUSO

JIL/skb
Enclosure

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(1919-1986)

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Olean
716.372.1890

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

5-13-16

DATE OF APPLICATION (must be 30 days Prior to event):

5-13-16

* No more than 3 days TOTAL per individual or group per year **EVENT SPECIFICS EXCLUDES HARBORFRONT AREA**

DATE: 7-9-16 TIME: 7:00-9:00pm LOCATION OF EVENT: DK Firemen's grounds

SPONSOR:

NAME: Richard Stas

PHONE NO. 679-6023

ADDRESS: P.O. Box 97 Dunkirk N.Y. 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Richard Stas

PHONE: 679-6023

ADDRESS: P.O. Box 97 Dunkirk N.Y.

REASON: Family Reunion

AUDIO DEVICE TO BE USED: Speakers, Radio

PUBLIC EVENT

PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES IF YES, PROOF:

NO

2016 MAY 13 AM 10:23

I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.

Signature: Richard Stas

DEPARTMENTAL REVIEW

DATE SENT

REPORT BACK

POLICE DEPT OK *Stigall*

DEPT OF PUBLIC WORKS *GB*

DEPT OF LAW *ADB*

OTHER

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RESOLUTION #54-2016

June 7, 2016

BY THE ENTIRE COUNCIL

AUTHORIZING AMENDMENT TO LEASE AGREEMENT WITH DUNKIRK CITY SCHOOL DISTRICT (Marauder Drive)

WHEREAS, the City of Dunkirk owns certain premises bordered roughly by Marauder Drive and Lucas Avenue (designated as s/b/l 96.06-2-1) that have been utilized for sports and recreation facilities; and

WHEREAS, the Dunkirk City School District (the "District") wishes to amend an agreement, entered into pursuant to Common Council Resolution 2013-20, which memorialized the use of that property as athletic fields, for practices and games for various sporting events, including but not necessarily limited to baseball, softball, and soccer contests, as well as to improve a portion of the property including an access road to Van Miller Way; and

WHEREAS, the District requires an amendment to that lease to include a parcel of real property adjacent to the previously leased property, which has been maintained and controlled by the District despite its exclusion in the original lease; and

WHEREAS, it would be in the best interests of the City of Dunkirk to amend the Lease Agreement with the District to include the adjacent parcel; now, therefore be it

RESOLVED, that the Common Council hereby authorizes and directs the Mayor to execute any required documents to amend a Lease Agreement with the **Dunkirk City School District**, 620 Marauder Drive, Dunkirk, New York 14048, for the District's use of and improvement to certain property of the City, bounded roughly by Marauder Drive and Lucas Avenue (being a part of s/b/l 96.06-2-1).

RESOLUTION #55-2016

June 7, 2016

BY ENTIRE COUNCIL:

AUTHORIZING INSTALLATION OF CONVENIENCE OUTLET

WHEREAS, the City of Dunkirk, as part of its normal course of business, requires access to electrical outlet(s) on or about Lake Front Boulevard; and

WHEREAS, National Grid is willing and able to install a convenience outlet on a wood pole on Lake Front Boulevard; now, therefore be it

RESOLVED, that National Grid is authorized to install one convenience outlet on existing wood pole (Wood Pole no. 11) on Lake Front Boulevard in the City of Dunkirk. The annual charge, subject to rate change updates, shall be of fifty nine dollars and eighty six cents (\$59.86), and that amount shall be added to the City's bill No. 11938-79105. The City shall be responsible for any charges generated from that outlet. The City shall notify National Grid of the equipment wattage, hours of use, and number of days of use. National Grid shall provide regular bills to the City under Public Service Contract 220, Service Classification No. 2.